<u>REMARKS</u>

Applicant respectfully requests further examination and reconsideration in view of the comments set forth fully below. Claims 1-32 were previously pending in this application. Claims 1-23, 25, and 26 have been rejected, Claim 24 has been objected to, and Claims 27-32 have been allowed. By the above amendment, Claims 1 and 21 have been amended. Claims 1-32 are now pending in this application.

<u>Objections To The Drawings</u>

Within the Office Action, it is stated that the drawings as originally filed are objected to by the USPTO draftsperson and are acceptable for examination purposes only. Formal drawings will be submitted upon allowance of the patent.

<u>Objections To The Specification</u>

Within the Office Action, the specification was objected to because the abstract exceeded the permissible upper word limit. By the above amendment, the abstract has been shortened to comply with the specified requirements.

<u>Rejections Under 35 U.S.C. § 112</u>

Within the Office Action, Claims 1-15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

Specifically, within the Office Action it is stated that the limitation of "corresponding notify command frames submitted from networked control devices" in Claim 1 renders the claim indefinite and unclear. Applicant respectfully disagrees. The term "corresponding" is meant to show that the notify command frames correspond with the aforementioned descriptors. The specification utilizes similar but more specific language where resource requests are a type of

descriptor that have corresponding notify commands: "the resource requests 68 and 68' submitted by the control client devices 65 and 67 are accompanied with corresponding notify commands." [Specification, p. 15, lines 9-10] Another section of the specification shows a similar context: "the requesting control device 76 submits a corresponding notify command 77 with the schedule request." [Specification, p. 16, lines 5-8] Accordingly, this limitation is definite and clear.

It is further stated within the Office Action that the limitation of "to monitor access of data contained within the accessed by a competing control device" in Claim 1 renders the claim indefinite and unclear. The Claim 1 has been amended by the above amendment to recite "to monitor access of data contained within the descriptor accessed by a competing control device." The absence of "descriptor" was a typographical error as demonstrated by Claim 12 and Claim 16 which include similar language. For at least these reasons, Claim 1 is definite and does particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Rejections Under 35 U.S.C. § 102(e)

Within the Office Action, Claims 1, 2, 12, 15, 16, 17 and 25 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,584,502 to Natarajan (hereinafter "Natarajan"). Natarajan teaches a feedback-based adaptive network where the network elements report network information relating to network conditions such as condition or status of the reporting network elements. More specifically the network information may include committed information rate, excess information rate, excess burst size, congested indicators, and dropped packets. This information is utilized to determine whether the network element is able or ready to handle new data and if not to re-route data to other elements of the network. [Natarajan, Col. 7 lines 20-43, Col. 8 lines 34-51]

In contrast to the teachings of Natarajan, the descriptor mechanism in the present invention is utilized to monitor access activity of descriptors. First, a notify command is sent to the descriptor mechanism to specify which descriptors to monitor, then the descriptor mechanism monitors the specified descriptor, and if another competing device previously accessed the descriptor, the descriptor mechanism sends a response notify command to the requesting control device. [Specification, page 16, lines 1-22] Natarajan does not teach providing access-monitoring capabilities of descriptors as claimed within the present application. The functions of the adaptive network taught by Natarajan are inherently different from the descriptor mechanism of the present invention.

The independent Claim 1 is directed to an architecture for monitoring access of descriptors over a network. The architecture of Claim 1 comprises a descriptor mechanism for posting and storing descriptors and corresponding notify command frames submitted from networked control devices, wherein each descriptor comprises a unique node address identifying the control device submitting the descriptor and wherein the corresponding notify command frame instructs the descriptor mechanism to monitor access of data contained within the descriptor accessed by a competing control device. As discussed above, Natarajan does not teach utilizing a notify command frame and a descriptor mechanism to monitor access of data contained within the descriptor accessed by a competing control device. For at least these reasons, the independent Claim 1 is allowable over the teachings of Natarajan.

Claims 2, 12, and 15 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Natarajan. Accordingly, Claims 2, 12, and 15 are all also allowable as being dependent on an allowable base claim.

The independent Claim 16 is directed to a method of monitoring a descriptor posted over a network from a remote control device, wherein the descriptor comprises a unique node address identifying the remote control device and wherein the descriptor is stored to a descriptor mechanism. The method of Claim 16 comprises submitting a notify command to the descriptor

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mechanism, wherein the notify command instructs the descriptor mechanism to monitor the descriptor for access activity by competing control devices and issuing a notify response to the remote control device when a competing device accesses the descriptor. As discussed above, Natarajan does not teach submitting a notify command to the descriptor mechanism, wherein the notify command instructs the descriptor mechanism to monitor the descriptor for access activity by competing control devices. Further, Natarajan does not teach issuing a notify response to the remote control device when a competing device accesses the descriptor. For at least these reasons, the independent Claim 16 is allowable over the teachings of Natarajan.

Claims 17 and 25 are dependent on the independent Claim 16. As described above, the independent Claim 16 is allowable over the teachings of Natarajan. Accordingly, Claims 17 and 25 are both also allowable as being dependent on an allowable base claim.

Rejections Under 35 U.S.C. § 103(a)

Within the Office Action, Claims 3, 5-11, 13, 14, 18-23 and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Natarajan in view of U.S. Patent No. 6,513,064 to Horinguchi (hereinafter "Horinguchi"). The Applicant respectfully disagrees with this rejection.

Claims 3, 5-11, 13 and 14 are all dependent on the independent Claim 1. Claims 18-23 and 26 are all dependent on the independent Claim 16. As described above, the independent Claims 1 and 16 are allowable over the teachings of Natarajan. Accordingly, Claims 3, 5-11, 13, 14, 18-23 and 26 are all also allowable as being dependent on an allowable base claim.

Within the Office Action, it is stated that Claims 4 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 4 is dependent on the independent Claim 1. Claim 24 is dependent on the independent Claim 16. As described above, the independent Claims 1 and 16 are allowable over the teachings of Natarajan.

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Accordingly, Claims 4 and 24 are both also allowable as being dependent on an allowable base claim.

Within the Office Action, it is stated that Claims 27-32 are allowed.

For the reasons given above, the Applicants respectfully submit that the pending claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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